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OCT 31 2011

UNITED STATES DISTRICT COURT

TONY R. MOORE, CLERK  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE, LOUISIANA

WESTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

\* CRIMINAL NO. 6:06-60074-07

VERSUS

\* JUDGE DOHERTY

ANTONIO LUNA VALDEZ, JR. (07)

\* MAGISTRATE JUDGE HILL

**JUDGMENT**

This matter was referred to United States Magistrate Judge C. Michael Hill for Report and Recommendation. No objections have been filed. The Court concludes that the Report and Recommendation of the magistrate judge is correct and therefore adopts the conclusions set forth therein. Accordingly;

**IT IS ORDERED** that Antonio Luna Valdez Jr.'s Motion to Dismiss [rec. doc. 829] is **DENIED** and **DISMISSED as MOOT**, reserving Valdez' right to present evidence in support of all arguments asserted in his Motion to Dismiss the second superseding indictment.

**THUS DONE AND SIGNED**, in chambers, in Lafayette, Louisiana, on this 31  
day of October, 2011.

REBECCA F. DOHERTY  
UNITED STATES DISTRICT JUDGE